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TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

U. S. STANDARDS FOR CAULIFLOWER

On November 11, 1952, a notice of proposed rule making was published in the FEDERAL REGISTER (F. R. Doc. 52–1204; 17 F. R. 10266) regarding proposed United States Standards for Cauliflower.

A period of fifteen days was allowed for submitting written data, views and arguments for consideration in connection with the proposed standards. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice of rule making, the following United States Standards for Cauliflower are hereby promulgated under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1953 (Pub. Law 451, 82d Cong., approved July 5, 1952).

§ 51.171 *Standards for cauliflower*—(a) *Grades*—(1) *U. S. No. 1.* U. S. No. 1 consists of compact heads of cauliflower which are not discolored, or over-mature, and which are free from soft or wet decay and are free from damage caused by wilting, fuzziness, riciness, enlarged bracts, bruises, hollow stems, dirt or other foreign matter, disease, insects, or mechanical or other means. Unless otherwise specified, the heads shall be not less than 4 inches in diameter. Jacket leaves shall be fresh, green, and free from damage caused by disease and free from serious damage by any other cause. Unless otherwise specified, jacket leaves shall be well trimmed.

(i) In order to allow for variations, other than for size, incident to proper grading and handling, not more than a total of 10 percent, by count, of the cauliflower in any lot may fail to meet the requirements of this grade but not more than one-tenth of this amount, or 1 percent, may be affected by soft rot or wet decay affecting the curd. In addition, not more than 5 percent, by count, of the heads in any lot may be smaller than the specified minimum size.

(b) *Unclassified.* Unclassified consists of cauliflower which has not been classified in accordance with the foregoing grade. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no definite grade has been applied to the lot.

(c) *Application of tolerances.* (1) The contents of individual packages in the lot, based on sample inspection, are subject to the following limitations: *Provided,* That the averages for the entire lot are within the tolerances specified for the grade.

(i) For a tolerance of 10 percent or more, individual packages in any lot may contain not more than one and one-half times the tolerance specified, except that when the package contains 15 specimens or less, individual packages may contain not more than double the tolerance specified.

(ii) For a tolerance of less than 10 percent, individual packages in any lot may contain not more than double the tolerance specified, except that at least one defective and two off-sized specimens may be permitted in any package.

(d) *Definitions.* (1) "Compact" means that the flower clusters are closely united and the head feels solid.

(2) "Discolored" means that the head is of some abnormal color.

(3) "Over-mature" means a stage of growth which is beyond that of a compact, properly developed head. An over-mature head usually is loose or open and ordinarily is turning yellow.

(4) "Damage" means any defect which materially affects the appearance, or the edible or shipping quality of the curd, or any disease which materially affects the appearance, or the shipping quality of the jacket leaves. Any one of the following defects, or any combination of defects, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

(i) Fuzziness which gives the head a distinctly fuzzy appearance on more than one-half of the head;

(ii) Riciness, when the appearance of the head is materially injured by a very

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abnormal rough or granular surface on the curd;

(iii) Enlarged bracts, when the appearance of the head is materially injured by leaves (bracts) growing up through and extending above the curd; and,

(iv) Mold which causes the flesh of the curd to disintegrate or which exceeds ⅜ inch in diameter in the aggregate, or any single spot of mold which exceeds ⅛ inch in diameter.

(5) "Diameter" means the average diameter of the head exclusive of the jacket leaves.

(6) "Serious damage" means any injury to the jacket leaves which seriously affects their appearance.

(7) "Well trimmed" means that the jacket leaves shall be limited to the number and length necessary to protect the head. No jacket leaves are required on heads which are individually wrapped, or packed with cushions, partitions or other means which protect the head from bruising.

(e) *Effective time.* The United States Standards for Cauliflower contained in this section and which supersede the United States Standards for Cauliflower (13 F. R. 2249) effective May 27, 1948, shall become effective five (5) days after the date of publication in the FEDERAL REGISTER.

It is hereby found that it is impractical, unnecessary, and contrary to the public interest to postpone the effective date of these standards until 30 days after publication hereof in the FEDERAL REGISTER because the packing season for cauliflower has already commenced and it is in the public interest that the standards be in effect as soon as possible;

and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(Sec. 705, 60 Stat. 1090, Pub. Law 451, 82d Cong.; 7 U. S. C. 1624)

Done at Washington, D. C., this 4th day of December 1952.

[SEAL] GEORGE A. DICE,
Acting Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 52-12980; Filed, Dec. 8, 1952; 8:49 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Tangerine Reg. 129]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.602 *Tangerine Regulation 129*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than December 8, 1952. Shipments of tangerines, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until December 8, 1952; the recommendation and supporting information for continued regulation subsequent to December 7 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on December 4; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time of this section, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date of this section.

(b) *Order.* (1) Tangerine Regulation 128 (7 CFR 933.601; 17 F. R. 10803) is hereby terminated as of the effective time of this section.

(2) During the period beginning at 12:01 a. m., e. s. t., December 8, 1952, and ending at 12:01 a. m., e. s. t., December 22, 1952, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 2;

(ii) Any tangerines, grown in the State of Florida, which grade U. S. No. 2, that are of a size smaller than the size that will pack 176 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions 9½ x 9½ x 19⅛ inches; capacity 1,726 cubic inches); or

(iii) Any tangerines, grown in the State of Florida, which grade U. S. Fancy, U. S. No. 1, U. S. No. 1 Bronze, or U. S. No. 1 Russet, that are of a size smaller than 2$\frac{5}{16}$ inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of tangerines, smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the revised United States Standards for Florida tangerines (§ 51.417 of this title; 17 F. R. 8377).

(3) As used in this section, "handler," "ship," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. Fancy," "U. S. No. 1," "U. S. No. 1 Bronze," "U. S. No. 1 Russet," "U. S. No. 2" and "standard pack" shall have the same meaning as when used in the revised United States Standards for Florida Tangerines (§ 51.417 of this title; 17 F. R. 8377).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 5th day of December 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-12998; Filed, Dec. 8, 1952; 8:50 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 1]

PART 600—DESIGNATION OF CIVIL AIRWAYS

ALTERATIONS

The civil airway alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee and are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required. Part 600 is amended as follows:

1. Section 600.108 *Amber civil airway No. 8 (Los Angeles, Calif., to The Dalles, Oreg.)* is amended between the Santa Barbara, Calif., radio range and the Travis AFB, Calif., radio range to read: "Santa Barbara, Calif., radio range station; the intersection of the northwest course of the Santa Barbara, Calif., radio range and the southeast course of the Salinas, Calif., radio range; Salinas, Calif., radio range station; the intersection of the northwest course of the Salinas, Calif., radio range and the southwest course of the Travis AFB, Calif., radio range excluding the airspace below 3,000 feet which overlaps the Fort Ord Danger Area; Travis AFB, Calif., radio range station;"

2. Section 600.223 *Red civil airway No. 23 (United States-Canadian Border to New York, N. Y.)* is amended between the intersection of the southeast course of the Toronto, Ont., Canada radio range and the United States-Canadian Border and the Elmira, N. Y., radio range station to read: "That airspace over United States territory from the Toronto, Ont., Canada, radio range station via the Dansville, N. Y., non-directional radio beacon; Elmira, N. Y., radio range station;"

3. Section 600.234 is amended by changing the headnote to read: *"Red civil airway No. 34 (Portsmouth, Ohio, to Elizabeth City, N. C.)"* and by amending the first portion to read: "From the intersection of the northwest course of the Huntington, W. Va., radio range and the south course of the Columbus, Ohio, radio range via the intersection of the northwest course of the Huntington, W. Va., radio range and the west course of the Charleston, W. Va., radio range; Charleston, W. Va., radio range station; Pulaski, Va., radio range station to the Greensboro, N. C., radio range station."

4. Section 600.245 is amended by changing the headnote to read: *"Red civil airway No. 45 (Blackstone, Va., to Willow Grove, Pa.)"* and by adding a last portion to read: "From the Lancaster, Pa., non-directional radio beacon to the Willow Grove, Pa., (Navy) radio range station."

5. Section 600.258 is amended to read:

§ 600.258 *Red civil airway No. 58 (Salinas, Calif., to Los Banos, Calif.).*

From the Salinas, Calif., radio range station to the intersection of the northeast course of the Salinas, Calif., radio range and the northwest course of the Fresno, Calif., radio range.

6. Section 600.604 *Blue civil airway No. 4 (Nantucket, Mass., to United States-Canadian Border)* is amended after "Concord, N. H., radio range station;" to read: "Burlington, Vt., radio range station to the Montreal, Que., Canada, radio range station, excluding the airspace which lies outside the continental United States."

7. Section 600.607 is amended to read:

§ 600.607 *Blue civil airway No. 7 (Hollister, Calif., to Williams, Calif.).* From the intersection of the northeast course of the Salinas, Calif., radio range and the southeast course of the Oakland, Calif., radio range to the intersection of the southeast course of the Oakland, Calif., radio range and the northwest course of the Fresno, Calif., radio range. From the intersection of the northwest course of the Fresno, Calif., radio range and the south course of the Travis AFB, Calif., radio range via the Travis AFB, Calif., radio range station to the Williams, Calif., radio range station.

8. Section 600.608 is amended to read:

§ 600.608 *Blue civil airway No. 8 (Fargo, N. Dak., to United States-Canadian Border).* That airspace over United States territory from the Fargo, N. Dak., radio range station via the Grand Forks, N. Dak., radio range station; Pembina, N. Dak., radio range station to the Winnipeg, Ont., Canada, radio range station.

9. Section 600.609 is amended by changing the headnote to read: *"Blue civil airway No. 9 (Springfield, Mo., to United States-Canadian Border)"* by amending the first portion to read: "From the Springfield, Mo., radio range station via the Columbia, Mo., radio range station; Kirksville, Mo., radio range station;" and by changing the last portion to read: "From the Minneapolis, Minn., radio range station via the Duluth, Minn., radio range station to the Lakehead, Ont., Canada, radio range station, excluding the airspace which lies outside the continental United States."

10. Section 600.632 *Blue civil airway No. 32 (Pendleton, Oreg., to Talkeetna, Alaska)* is amended between the Seattle, Wash., radio range station and the Comox, British Columbia, radio range to read: "From the Seattle, Wash., radio range station via the intersection of the northwest course of the Seattle, Wash., radio range and the south course of the Patricia Bay, British Columbia, radio range; the Patricia Bay, British Columbia, radio range station to the intersection of the north course of the Patricia Bay, British Columbia, radio range and the southeast course of the Comox, British Columbia, radio range, excluding the airspace which overlaps danger areas and excluding the portion which lies outside the continental United States."

11. Section 600.652 is amended to read:

§ 600.652 *Blue civil airway No. 52 (Paso Robles, Calif., to Fresno, Calif.).* From the intersection of the southeast course of the Salinas, Calif., radio range and the southwest course of the Fresno, Calif., radio range to the Fresno, Calif., radio range station.

12. Section 600.654 is amended to read:

§ 600.654 *Blue civil airway No. 54 (Salinas, Calif., to Hamilton AFB, Calif.).* From the Salinas, Calif., radio range station via the Evergreen, Calif., nondirectional radio beacon to the San Francisco, Calif., radio range station. From the intersection of the northwest course of the Oakland, Calif., radio range and the southwest course of the Travis AFB, Calif., radio range to a point at latitude 38°02'45", longitude 122°31'40".

13. Section 600.660 is amended to read:

§ 600.660 *Blue civil airway No. 60 (Sunnyvale, Calif., to Stockton, Calif.).* From the intersection of the northwest course of the Salinas, Calif., radio range and the west course of the Moffett NAS, Calif., radio range via the Moffett NAS, Calif., radio range station to the intersection of the northeast course of the Moffett NAS, Calif., radio range and the west course of the Stockton, Calif., radio range.

14. Section 600.6006 *VOR civil airway No. 6 (Oakland, Calif., to New York, N. Y.)* is amended after "Chicago Heights, Ill., omnirange station;" to read: "Goshen, Ind., omnirange station, including a south alternate; Waterville, Ohio, omnirange station, including a north alternate; Cleveland, Ohio, omnirange station; Youngstown, Ohio, omnirange station, including a north alternate; Philipsburg, Pa., omnirange station, including a north alternate via the intersection of the Youngstown omnirange 87° True and the Philipsburg omnirange 303° True radials; Selinsgrove, Pa., omnirange station; Allentown, Pa., omnirange station to the Caldwell, N. J., omnirange station."

15. Section 600.6008 *VOR civil airway No. 8 (Long Beach, Calif., to Washington, D. C.)* is amended before Imperial, Nebr., omnirange station to read: "From the Long Beach, Calif., omnirange station via the Ontario, Calif., omnirange station; Daggett, Calif., omnirange station; Las Vegas, Nev., omnirange station to the Mormon Mesa, Nev., omnirange station. From the Kremmling, Colo., omnirange station via the Denver, Colo., omnirange station, including a north alternate; Akron, Colo., omnirange station, including a north alternate;"

16. Section 600.6021 *VOR civil airway No. 21 (Long Beach, Calif., to United States-Canadian Border)* is amended between the Las Vegas, Nev., omnirange station and the Milford, Utah, omnirange station to read: "Las Vegas, Nev., omnirange station; Mormon Mesa, Nev., omnirange station, including an east alternate, via the intersection of the Las Vegas omnirange 086° True and the Mormon Mesa omnirange 196° True radials; Milford, Utah, omnirange station;"

17. Section 600.6030 *VOR civil airway No. 30 (Milwaukee, Wis., to New York, N. Y.)* is amended before Wellington, Ohio, VHF VAR station to read: "From the Milwaukee, Wis., omnirange station via the Litchfield, Mich., omnirange station; Waterville, Ohio, omnirange station; the intersection of the Waterville omnirange 111° True radial and the west course of the Wellington, Ohio, VHF VAR station;"

18. Section 600.6045 is amended to read:

§ 600.6045 *VOR civil airway No. 45 (Columbus, Ohio, to Lansing, Mich.).* From the Columbus, Ohio, omnirange station via the Waterville, Ohio, omnirange station to the Lansing, Mich., omnirange station.

19. Section 600.6047 is amended to read:

§ 600.6047 *VOR civil airway No. 47 (Louisville, Ky., to Detroit, Mich.).* From the Louisville, Ky., omnirange station via the intersection of the Louisville omnirange 356° True and the Cincinnati omnirange 241° True radials; Cincinnati, Ohio, omnirange station; Dayton, Ohio, omnirange station, including a west alternate; Findlay, Ohio, omnirange station, including a west alternate; Waterville, Ohio, omnirange station to the Detroit, Mich., omnirange station, including a west alternate.

20. Section 600.6092 is amended to read:

§ 600.6092 *VOR civil airway No. 92 (Toledo, Ohio, to Mansfield, Ohio.).* From the Waterville, Ohio, omnirange station to the Mansfield, Ohio, omnirange station.

21. Section 600.6096 is amended to read:

§ 600.6096 *VOR civil airway No. 96 (Fort Wayne, Ind., to Toledo, Ohio.).* From the Fort Wayne, Ind., omnirange station to the Waterville, Ohio, omnirange station.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 302, 52 Stat. 985, as amended; 49 U. S. C. 452)

This amendment shall become effective 0001 e. s. t. December 9, 1952.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-12947; Filed, Dec. 8, 1952; 8:45 a. m.]

[Amdt. 1]

PART 601—DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

ALTERATIONS

The control area, control zone and reporting point alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted to become

effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and therefore is not required. Part 601 is amended as follows:

1. Section 601.234 is amended by changing headnote to read: *"Red civil airway No. 34 control areas (Portsmouth, Ohio, to Elizabeth City, N. C.)."*

2. Section 601.245 is amended by changing headnote to read: *"Red civil airway No. 45 control areas (Blackstone, Va., to Willow Grove, Pa.)."*

3. Section 601.258 is amended to read:

§ 601.258 *Red civil airway No. 58 control areas (Salinas, Calif., to Los Banos, Calif.).* All of Red civil airway No. 58.

4. Section 601.607 is amended to read:

§ 601.607 *Blue civil airway No. 7 control areas (Hollister, Calif., to Williams, Calif.).* All of Blue civil airway No. 7.

5. Section 601.609 is amended by changing the headnote to read: *"Blue civil airway No. 9 control areas (Springfield, Mo., to United States-Canadian Border)."*

6. Section 601.1032 is amended to read:

§ 601.1032 *Control area extension (Scottsbluff, Nebr.).* Within 5 miles either side of the northwest and southeast courses of the Scottsbluff, Nebr., radio range extending from the radio range station to a point 25 miles northwest and to a point 20 miles southeast.

7. Section 601.1058 is amended to read:

§ 601.1058 *Control area extension (Martinsburg, W. Va.).* Within 5 miles either side of the southwest and northeast courses of the Martinsburg radio range extending from the radio range station to a point 20 miles southwest and to a point 33 miles northeast, and that airspace within a 15-mile radius of the Martinsburg, W. Va., omnirange station.

8. Section 601.1069 is amended to read:

§ 601.1069 *Control area extension (Santa Barbara, Calif.).* Within 5 miles either side of the west and southeast courses of the Santa Barbara radio range extending from the radio range station to a point 25 miles west and 20 miles southeast.

9. Section 601.1073 is amended to read:

§ 601.1073 *Control area extension (Fresno, Calif.).* Within 5 miles either side of the northeast course of the Fresno, Calif., radio range extending from the radio range station to a point 20 miles northeast, within 5 miles either side of the Fresno ILS localizer front course extending to a point 15 miles southeast of the Fresno Air Terminal, and that airspace within a 35-mile radius of the Fresno Air Terminal extending clockwise from a line bearing 153° True from the Fresno Air Terminal to a line 5 miles northeast of and parallel to the back course of the Fresno ILS localizer.

10. Section 601.1247 *Control area extension (Toledo, Ohio)* is revoked.

11. Section 601.1247 is added to read:

§ 601.1247 *Control area extension (Las Vegas, Nev.).* All that airspace bounded on the northwest by Amber civil airway No. 2, on the east by a line 5 miles east of and parallel to a track of 176° True from the Las Vegas, Nev., radio range station and on the south by a line 5 miles south of and parallel to a track of 86° True from the Good Springs, Nev., nondirectional radio beacon.

12. Section 601.1983, *Three mile zones,* is amended by adding the following airport:

Santa Rosa, Calif.: Santa Rosa ALF.

13. Section 601.1984, *Five mile zones,* is amended by adding the following airports:

Watertown, N. Y.: Watertown Municipal Airport.

Massena, N. Y.: Massena Municipal Airport.

14. Section 601.2126 is amended to read:

§ 601.2126 *Toledo, Ohio, control zone.* Within a 5-mile radius of the Toledo Municipal Airport, within 2 miles either side of a line bearing 134° True from the Toledo Municipal Airport through the Genoa non-directional radio beacon extending from the Toledo Municipal Airport to a point 10 miles southeast of the Genoa non-directional radio beacon, within 2 miles either side of the north and south courses of the Toledo radio range extending from the radio range station northward to the Toledo Municipal Airport and to a point 10 miles south.

15. Section 601.2232 is amended to read:

§ 601.2232 *Norfolk, Va., control zone.* Within a 5-mile radius of the Naval Air Station and within 2½ miles either side of the west course of the Norfolk, Va., Navy radio range extending to a point 2½ miles west of the Eclipse Fan Marker excluding the portion overlapping the Norfolk Municipal Airport control zone.

16. Section 601.4101 *Amber civil airway No. 1 (United States-Mexican Border to Nome, Alaska.)* is amended after "the intersection of the northwest course of the San Diego, Calif., radio range and the southeast course of the Long Beach, Calif., radio range;" by adding the following reporting point: "Long Beach, Calif., radio range station;"

17. Section 601,4108 is amended to read:

§ 601.4108 *Amber civil airway No. 8 (Los Angeles, Calif., to The Dalles, Oreg.).* The intersection of the west course of the Los Angeles, Calif., VHF radio range and the southeast course of the Camarillo, Calif., radio range; Camarillo, Calif., radio range station; Santa Barbara, Calif., radio range station; the intersection of the northwest course of the Santa Barbara, Calif., radio range and the southeast course of the Salinas, Calif., radio range; Salinas, Calif., radio range station; the intersection of the northwest course of the Salinas, Calif., radio range and the southwest course of the San Francisco, Calif., radio range; the intersection of the northwest course of the San Francisco, Calif., radio range and the southwest course of the Travis AFB, Calif., radio range; the intersection of the southwest course of the Travis AFB, Calif., radio range and the northwest course of the Oakland, Calif., radio range; Travis AFB, Calif., radio range station; Whitmore, Calif., radio range station; Klamath Falls, Oreg., radio range station; Redmond, Oreg., radio range station; The Dalles, Oreg., radio range station.

18. Section 601,4234 is amended by changing headnote to read: *"Red civil airway No. 34 (Portsmouth, Ohio, to Elizabeth City, N. C.)."*

19. Section 601.4245 is amended by changing headnote to read: *"Red civil airway No. 45 (Blackstone, Va., to Willow Grove, Pa.)."*

20. Section 601.4258 is amended to read:

§ 601.4258 *Red civil airway No. 58 (Salinas, Calif., to Los Banos, Calif.).* No reporting point designation.

21. Section 601.4607 is amended to read:

§ 601.4607 *Blue civil airway No. 7 (Hollister, Calif., to Williams, Calif.).* The intersection of the northeast course of the Salinas, Calif., radio range and the southeast course of the Oakland, Calif., radio range.

22. Section 601.4609 is amended by changing headnote to read: *"Blue civil airway No. 9 (Springfield, Mo., to United States-Canadian Border)."*

23. Section 601.6021 is amended to read:

§ 601.6021 *VOR civil airway No. 21 control areas (Long Beach, Calif., to United States-Canadian Border.).* All of VOR civil airway No. 21, including an east alternate.

24. Section 601.7001 *VOR reporting points,* is amended by deleting the following:

Harrington intersection: The intersection of the Truth or Consequences, N. Mex., omnirange 162° True and the El Paso, Tex., omnirange 271° True radials.

Manchester intersection: The intersection of the Lansing, Mich., omnirange 141° True and the Detroit, Mich., omnirange 257° True radials.

Tecumseh intersection: The intersection of the Detroit, Mich., 228° True and the Toledo, Ohio, omnirange 321° True radials.

and by adding the following:

Evergreen, Ala., omnirange station.

Adrian intersection: The intersection of the Detroit, Mich., omnirange 228° True and the Waterville, Ohio, omnirange 328° True radials.

Long Beach, Calif., omnirange station.

Napoleon intersection: The intersection of the Detroit, Mich., omnirange 257° True and the Waterville, Ohio, omnirange 328° True radials.

(Sec. 205 (52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001 e. s. t. December 9, 1952.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-12948; Filed, Dec. 8, 1952; 8:45 a. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

PART 132—ELECTRIC POWER SYSTEM, COLORADO RIVER IRRIGATION PROJECT, ARIZONA

EDITORIAL NOTE: Part 133 of this chapter, *infra*, provides in § 133.1 thereof that the regulations in this part shall no longer be applicable to the San Carlos Project, Arizona. Consequently, the part heading is changed to read as set forth above, and references to the San Carlos Project are deleted, wherever they occur within this part.

PART 133—ELECTRIC POWER SYSTEM, SAN CARLOS IRRIGATION PROJECT, ARIZONA

INTERIM REGULATIONS AND RATES

Sec.

133.1 Effective date; changes.
133.2 Authority of Project Engineer.
133.3 Disputes.
133.4 Applications; contracts.
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133.22 Discontinuance by consumer.
133.23 Fraud; tampering.
133.24 Compensation of employees.
133.25 Hardship cases.
133.26 Interruptions to service.
133.27 Contingent upon appropriations.
133.51 Rate schedule No. 1; combination.
133.52 Rate schedule No. 2; general.

AUTHORITY: §§ 133.1 to 133.52 issued under R. S. 161, sec. 5, 43 Stat. 476, 45 Stat. 210, 211; 5 U. S. C. 22.

§ 133.1 *Effective date; changes.* The regulations in this part are approved for the conduct of the electric power system of the San Carlos Project, Arizona, hereinafter referred to as the Project. The regulations in Part 132 shall no longer be applicable to the said Project. The regulations in this part shall become effective with the first billings made after the first day of the second calendar month which begins after the date of publication in the FEDERAL REGISTER. The regulations in this part are subject to change by the proper authority and such changes shall apply to all contracts then and thereafter in effect.

§ 133.2 *Authority of Project Engineer.* The Project Engineer is responsible for the operation of the electric power system and the enforcement of the regulations in this part. He is authorized to carry out and enforce the regulations either directly or through the power manager or other Project employees designated by him.

§ 133.3 *Disputes.* Any aggrieved party may file with the Project Engineer a written complaint regarding the application of the regulations. Within fifteen days after its receipt, the Project Engineer shall render a written decision thereon and serve a copy thereof on the aggrieved party. Within fifteen days from receipt of such decision, the aggrieved party may take an appeal to the Commissioner of Indian Affairs who shall render his decision within sixty days and his decision shall be final. Pending the determination of an appeal, electric service shall be continued, except in cases in which the question of the existence of dangerous conditions on the premises of the consumer is involved, provided the consumer pays the amount of each bill for electric service prior to the time when it becomes delinquent. If the question of the amount of a bill is involved in an appeal, the consumer shall be deemed to have paid the bill under protest and the payment shall be held in a special deposit account until the final decision has been made.

§ 133.4 *Applications; contracts.* In order to contract for the delivery of power, a written application for service under this part accompanied by the required cash deposit and guarantee of the required minimum revenues to the Project, shall be filed with the Project Engineer. Upon acceptance by him, the application will become a contract. In general, such application will be accepted where service lines exist. When special terms and conditions are involved in contracting for service, the Project Engineer shall require the execution of a form of contract in which such terms and conditions are fully set forth. Each contract involving the construction of a new extension shall be for a period of at least one year, but if the consumer vacates the premises, he shall be liable for the unpaid guaranteed revenue only to the extent that it is not liquidated by the succeeding occupant of the premises. The Project Engineer is authorized to reject applications which he deems to be adverse to the best interests of the Project.

§ 133.5 *Deposits.* A cash deposit in an amount equal to twice the estimated monthly bill, but in no case less than $10.00 will be required from each applicant except that when the premises to be serviced are owned by the applicant, no deposit need be required until a delinquency in the payment of a bill has occurred. Any cash deposit, less the amount of any unpaid bills, shall be refunded after the termination of service. Before extensions are constructed each applicant must deposit an amount sufficient to cover his portion of the required minimum charges for a period of not less than one year, and must otherwise establish his credit and satisfy the Project Engineer of his intention to take service and his ability to meet the guarantee.

§ 133.6 *Extensions.* The length of an extension constructed for each dollar of monthly revenue guaranteed to the Project shall not exceed the following:

	Feet
In urban areas:	
Single phase extensions	100
Three phase extensions	80
In rural areas:	
Single phase extensions	330
Three phase extensions	210

The length of an extension shall include the horizontal length of both the primary and secondary circuits exclusive of the service drops. Insofar as practicable, all extensions shall be constructed along established highways. The prospective consumer, or consumers, shall furnish or procure satisfactory rights-of-way necessary for the lines and other facilities of the Project incidental to the furnishing of service. The Project Engineer may decline to construct any extension which, in his opinion, will be excessive in cost, or detrimental to the best interest of the Project, or for which funds are not available. All extensions when constructed shall be and remain the property of the United States.

§ 133.7 *Installation or extension financed by consumer.* If funds, material or labor are not otherwise available for an installation or extension, of if an extension to a prospective consumer will require new construction beyond the distances specified in § 133.6 of this part, the consumer or prospective consumer may, after executing an appropriate contract satisfactory to the Project Engineer, construct the needed installation or extension, or deposit funds estimated to be sufficient to pay for the construction. Such installations or extensions shall be built in accordance with suitable plans and specifications approved by the Project Engineer. The contract may provide that part or all of the cost of the installation or extension, but not more than the amount specified on the said contract, shall be refunded to the consumer by allowing him a monthly credit not to exceed 20 per cent of the bill for each month during the life of the contract or until the specified amount be refunded in full, but no claim for credit shall extend beyond the life of the contract. Unless the approval of the Commissioner of Indian Affairs or his duly authorized representative has been obtained, no refund shall be made for that portion of an extension not located along a public highway. All installations and extensions constructed under the provisions of this section shall be and remain the property of the United States.

§ 133.8 *Temporary service.* Temporary service refers to service to circuses, bazaars, fairs, construction works, and other activities or businesses of such a nature that service to the premises occupied by them will probably be discontinued within five months. An applicant for temporary service shall be required to deposit with the Project En-

gineer of sum of money equal to the estimated cost of installing and removing the necessary facilities and also an additional sum equal to the estimated bill for electric service: *Provided, however,* That such additional sum need not be greater than three times the estimated monthly bill. After termination of service, there shall be refunded any amount remaining on deposit in excess of the actual cost of installing and removing facilities, plus the unpaid amount of bills for electric power and energy, as determined by the Project Engineer.

§ 133.9 *Type of service.* Service for lights and the usual domestic and other appliances, including motors of less than five horsepower shall be single phase, nominally 115 or 230 volts and two or three wire, except when special written approval for another type of service has been obtained from the Project Engineer. Three-phase service at suitable voltage may be furnished for motor installations of five-horsepower and over, provided a three-phase circuit of the required voltage and capacity is available where the service is desired. All service will be sixty cycle.

§ 133.10 *Service connections.* On each new service the consumer shall provide and maintain a service entrance at a location convenient to the lines of the Project, and all connections from the service entrance to the meter base and from the meter base to the main line circuit breaker or distribution center. The meter socket and meter will be furnished by the United States. The meter socket shall be installed, however, by the consumer and in a suitable location, preferably on the outside of the building, or on the service pole, where the meter will be accessible to the meter reader at all times. The meter socket shall not be more than seven feet nor less than five feet above the ground or floor. The entire service installation must be satisfactory to the Project Engineer and must conform to the provisions, then in force, of the National Electrical Code of the National Board of Fire Underwriters for Electric Wiring and Apparatus. When alterations of a consumer's premises make it necessary to move an existing meter loop, the consumer may be required to install a meter socket in the new loop, located in conformity with the stipulations of this section. When an inspection is required by municipal ordinance, the Project Engineer shall require a certificate of inspection and approval by the municipal inspector before connecting a new service.

§ 133.11 *Connection methods.* Service to a consumer's premises will ordinarily be supplied by means of overhead conductors. A consumer may at his own expense provide for an underground service. Such an underground service must be installed in accordance with the provisions of the National Electrical Code and shall be terminated on the pole at a location and in the manner directed by the Project Engineer. No connection from the circuits of the Electrical Power System to a consumer's service entrance shall be made except by the Project or its agents.

§ 133.12 *Multiple meter installations.* In the case of new installations in multiple-occupancy buildings such as apartment houses in connection with which more than one meter in a building is required, the meters shall be assembled at one central location. Each meter shall be clearly marked so as to make it possible to identify the consumer.

§ 133.13 *Consumer responsibility.* The consumer shall furnish, install and maintain at his own risk and expense in good and safe condition all protective devices, electric wires, lines, machinery, apparatus, and appliances which may be required or used for receiving and consuming electric energy obtained from the Project. The consumer shall be responsible for conforming to the regulations of the National Board of Fire Underwriters and to any other regulations applicable to his installation.

§ 133.14 *Change of equipment.* In the event that a consumer proposes to make any material change in the amount, size or character of the electrical equipment installed on his premises, he shall immediately give written notice of his intention to the Project Engineer.

§ 133.15 *Apparatus detrimental to service.* The Project Engineer may refuse to supply loads of a character detrimental to the system, or to service to other consumers, and he may require the installation of suitable corrective devices.

§ 133.16 *Motor starting equipment.* Motors having a rated capacity of three horsepower or more shall be provided with such starting and overload equipment as may be required by the Project Engineer.

§ 133.17 *Service discontinued.* The Project Engineer may discontinue electric service to any consumer who shall continue to use appliances or apparatus detrimental to the Electric Power System after he has been notified to correct the condition and has failed to do so within a reasonable time.

§ 133.18 *Bills for service.* Meters will normally be read and bills for electric service will be rendered at regular intervals. Payments by consumers should be made in person or remitted by check or money order, payable to the order of the Treasurer of the United States, and mailed to the designated office of the Project.

§ 133.19 *Special bills.* Special bills, removal bills, bills for temporary service, bills rendered when premises are vacated or bills rendered to persons discontinuing service are due on presentation.

§ 133.20 *Bills due prior to service.* Bills for connection or reconnection of service, and required cash deposits shall be paid before service is connected, or reconnected.

§ 133.21 *Delinquent bills.* Bills for electric service will be delinquent if not paid on or before the twentieth day following the date of issue. When such delinquency occurs, the Project Engineer shall discontinue service and service shall not be restored until the consumer has paid all bills then due plus a reconnection charge of $2.00 and has made the deposit required under § 133.5. Discontinuance of service for delinquency shall not relieve the consumer of liability for minimum monthly payments guaranteed by him under his contract.

§ 133.22 *Discontinuance by consumer.* Notice of his desire to have service disconnected shall be given by the consumer at least two days in advance. In the absence of such notice the contractor will be held liable for payment for all electrical energy furnished to such vacated premises until service is discontinued. Final bills may be paid by application of the consumer's guarantee deposit to the extent that they are covered thereby. Any surplus remaining in the deposit will be returned to the consumer after the contract is terminated. Where the deposit is insufficient, the consumer will be billed for the difference which shall be immediately due and payable.

§ 133.23 *Fraud; tampering.* Service shall be discontinued to any consumer, or to any premises at any time when, in the opinion of the Project Engineer, such action is necessary to protect against abuse, fraud, or theft. Tampering or in any way interfering with meters, transformers, poles, conductors, or any part of the property of the Project is prohibited and is subject to prosecution pursuant to law.

§ 133,24 *Compensation of employees.* All employees are strictly forbidden to demand or accept any personal compensation for services rendered to a consumer, or any gratuity by reason of the rendition of services.

§ 133.25. *Hardship cases.* The Project Engineer may relax temporarily strict enforcement of a regulation when in his judgment such enforcement would work undue hardship upon a consumer, but all such cases shall be reported promptly to the Commissioner of Indian Affairs with an explanation by the Project Engineer of the reason for taking such action. The Commissioner of Indian Affairs may cancel the action taken by the Project Engineer.

§ 133.26 *Interruptions to service.* The United States will furnish energy continuously so far as reasonable diligence will permit. But the United States, its officers, agents or employees, assume no liability for damages due to interruptions of service to the consumer.

§ 133.27 *Contingent upon appropriations.* All contracts are subject to appropriations made by Congress from year to year of monies sufficient to perform the work or render the service provided therein. No liability shall accrue against the United States by reason of the lack of appropriations.

§ 133.51 *Rate Schedule No. 1; combination rate*—(a) *Application of schedule.* This schedule is applicable to either single phase or three phase service for all purposes. It is especially suit-

able for residences, farms, stores, commercial uses and installations with similar load characteristics having normal load factors and maximum demands of less than 50 kilowatts. Unless specifically permitted by the contract, use must be limited to the consumer's own premises and power supplied must not be resold. If more than one meter is required by the customer's installation, or for the customer's convenience, bills will be independently calculated for each meter.

(b) *Monthly rate.*

(1) 4 cents per kilowatt-hour for the first 50 kilowatt-hours.

(2) 3 cents per kilowatt-hour for the next 50 kilowatt-hours.

(3) 2 cents per kilowatt-hour for the next 200 kilowatt-hours.

(4) 1.5 cents per kilowatt-hour for all additional kilowatt-hours.

(c) *Minimum bill.* The minimum bill shall be $2.00 per month except when a higher minimum bill is stipulated in the contract.

§ 133.52 *Rate Schedule No. 2; general rate*—(a) *Application of schedule.* This schedule is applicable to three phase electric service for all purposes. Unless specifically permitted by the contract, use must be limited to the customer's premises and the power supplied must not be resold. If more than one meter is required by the customer's installations, or for the customer's convenience, bills will be independently calculated for each meter.

(b) *Monthly rate.*

(1) 3.0 cents per kilowatt-hour for first 25 kilowatt-hours per kilowatt of billing demand.

(2) 2.0 cents per kilowatt-hour for next 100 kilowatt-hours per kilowatt of billing demand.

(3) 1.5 cents per kilowatt-hour for all additional kilowatt-hours.

(c) *Discounts.* The following discounts will be applied in accordance with the contract demand as defined below. Discounts do not apply to the minimum charge.

	Percent
Less than 25 kw. of contract demand	0
25 kw. and more but less than 32 kw. of contract demand	10
32 kw. and more but less than 40 kw. of contract demand	12
40 kw. and more but less than 48 kw. of contract demand	14
48 kw. and more but less than 58 kw. of contract demand	16
58 kw. and more but less than 70 kw. of contract demand	18
70 kw. and more but less than 85 kw. of contract demand	20
85 kw. and more but less than 100 kw. of contract demand	22
100 kw. and more but less than 125 kw. of contract demand	24
125 kw. and more but less than 150 kw. of contract demand	26
150 kw. and more but less than 175 kw. of contract demand	28
175 kw. and more but less than 210 kw. of contract demand	30
210 kw. and more but less than 245 kw. of contract demand	32
245 kw. and more but less than 295 kw. of contract demand	34
295 kw. and more but less than 360 kw. of contract demand	36
360 kw. and more but less than 600 kw. of contract demand	38
600 kw. and more of contract demand	40

(d) *Minimum bill.* The minimum bill shall be $1.00 per month per kilowatt of billing demand and no discount shall apply to this minimum.

(e) *Contract demand.* Each contract shall state the number of kilowatts which the customer expects to require and desires to have reserved for his service. This quantity is called the contract demand. The stated quantity need not be the same for all months of the year but the contract demand shall not be less than 20 kilowatts in any month for which a demand is stipulated.

(f) *Actual demand.* The actual demand for any month shall be the average amount of power used during the period of 15 consecutive minutes when such average is the greatest for the month as determined by suitable meters or, if meters are unavailable, the actual demand shall be the connected load or such portion of the connected load as the Project Engineer may determine to be appropriate based on available information as to the customer's use of connected lights, appliances and equipment or from check metering.

(g) *Billing demand.* The billing demand for a month shall be the contract demand, or the actual demand for that month, whichever is the greater.

OSCAR L. CHAPMAN,
Secretary of the Interior.

DECEMBER 2, 1952.

[F. R. Doc. 52-12949; Filed, Dec. 8, 1952; 8:50 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

Subchapter A—Aid of Civil Authorities and Public Relations

PART 805—SAFEGUARDING MILITARY INFORMATION

INVESTIGATION AND CLEARANCE OF PRIVATE CONTRACTOR FACILITIES; FACILITY CLEARANCES

Paragraph (b) (2) of section 805.32 is changed as follows:

§ 805.32 *Facility clearances.* * * *

(b) Facility security clearances, when required by paragraph (a) of this section, will be granted by major air commands concerned to prospective bidders or contractors: *Provided,* That:

* * * * *

(2) Except as indicated in subparagraph (5) of this paragraph, a check of the central records of the Federal Bureau of Investigation and the records of such other agencies as may be pertinent reveals no adverse information concerning:

(i) The facility.

(ii) Officers of the facility.

(iii) Directors of the facility. All directors who are aliens. With respect to United States citizens, all directors who will require access to classified security information in the conduct of the corporate business, provided those directors who will not require access to classified security information are designated by official action of the Board of Directors and made a matter of record in the corporate minutes and a copy of such minutes is filed with the military department granting the facility clearance.

(iv) Owners and key employees who will have access to classified security information.

* * * * *

[AFR 205-17A] (R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a)

Subchapter F—Reserve Forces

PART 861—OFFICERS' RESERVE MOBILIZATION AND TRAINING

1. Paragraph (a) of § 861.1003 is changed as follows:

§ 861.1003 *Mobilization assignment*—(a) *To whom given.* A mobilization assignment may be given to a member of the Air Force Reserve who is in an inactive duty status and who volunteers and is assigned by competent authority to a mobilization position in which it is anticipated he will serve if ordered into the active military service in the event of mobilization. This person must signify, in writing, willingness to accept an assignment in the Organized Air Reserve.

* * * * *

2. Paragraph (a) of § 861.1004 is changed as follows:

§ 861.1004 *Mobilization designation*—(a) *To whom given.* A member of the Air Force Reserve who is qualified may be earmarked for a mobilization position by means of a mobilization designation. A mobilization designation may be given to a qualified member of the Air Force Reserve who is in an inactive duty status and who volunteers and is assigned by competent authority to a mobilization position in which it is anticipated such a person will serve if ordered into the active military service in the event of mobilization. A mobilization designation may be given to a qualified person who is either unwilling to accept a mobilization assignment in the Organized Air Force Reserve or for whom no vacancy exists as an assignee. Such a person must signify, in writing, willingness to accept an assignment in the Volunteer Air Reserve.

* * * * *

3. Section 861.1009 is revised as follows:

§ 861.1009 *Training.* (a) Whenever practicable, a person having a mobilization assignment or designation will accomplish inactive duty training with the unit or activity in which such mobilization assignment or designation is held.

(b) A Reservist having a mobilization assignment to a unit or activity with which it is not practicable for such Reservist to participate in inactive duty training may be attached to another activity or unit for training. (See § 861.1005.)

(c) Mobilization assignees may not be given inactive duty training attachments with any category of the Volunteer Air Reserve.

(d) A mobilization designee may receive inactive duty training with a Volunteer Air Reserve Training Unit, with the consent of the Volunteer Air Reserve Training Unit commander and the com-

mander of the activity with which such a person holds a designation.

(e) Active duty training of Reservists having mobilization assignments normally will be accomplished with the unit or activity in which such assignment or designation is held.

(f) A person with a mobilization assignment will be required to participate in a minimum of six training periods each quarter. Tours of active duty during a quarter may be credited towards the training period requirement for that quarter on the basis of one day of active duty equal to one training period. A mobilization assignee who fails to meet the minimum number of training periods a quarter will be relieved of assignment. In exceptional cases only, and upon written request of the person concerned, major air commands may waive this requirement once in any fiscal year. This waiver authority may be further delegated to major subordinate commands.

[AFR 45–3A] (R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Interpret or apply sec. 4, 62 Stat. 89, as amended; 10 U. S. C. 422)

INACTIVE DUTY TRAINING PAY AND ALLOWANCES

4. Paragraphs (a) and (b) of § 861.1102 are changed as follows:

§ 861.1102 *Definitions*—(a) *Training period.* A duly authorized and scheduled period of instruction performed by a person with a mobilization assignment. Such training period will be of at least two hours' duration and normally will be of four hours' duration. The term "training period" will include authorized attendance at a scheduled class of instruction of not less than two hours' duration under the contract school training program for members of Organized Air Reserve units and mobilization assignees.

(b) *Unit training assembly.* A duly authorized and scheduled period of instruction conducted by a United States Air Force Reserve Table of Organization and Equipment unit, Table of Distribution unit, or Corollary unit. Such unit training assembly will be of at least two hours' duration and normally will be of four hours' duration.

* * * * *

5. Paragraph (d) is added to § 861.1103:

§ 861.1103 *Eligibility.* * * *

(d) Officers and airmen assigned to Air Force Reserves units or holding mobilization assignments who are authorized to enroll in a course of instruction under the contract school training program are authorized inactive duty pay for attendance at each scheduled class of instruction. The combined total of such classes attended and other training periods or unit training assemblies attended, however, will not exceed the total number authorized for the training category to which assigned.

6. Paragraph (b) of § 861.1104 is changed as follows:

§ 861.1104 *Mobilization assignees.* * * *

(b) Not more than 24 paid training periods in each fiscal year will be authorized personnel with mobilization assignments.

* * * * *

7. Section 861.1106 is revised as follows:

§ 861.1106 *Number of training periods and assemblies.* (a) A maximum of six training periods or unit training assemblies only will be authorized for pay purposes in any one calendar month for personnel assigned to training categories in which 48 paid drills each fiscal year are authorized.

(b) A maximum of four training periods or unit training assemblies only will be authorized for pay purposes in any one calendar month for personnel assigned to training categories in which 24 paid drills each fiscal year are authorized.

[AFR 45–10A & B] (R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Interpret or apply sec. 4, 62 Stat. 89, sec. 501, 63 Stat. 825; 10 U. S. C. 422, 37 U. S. C. 301)

[SEAL] K. E. THIEBAUD,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 52–12976; Filed, Dec. 8, 1952; 8:48 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[General Ceiling Price Regulation, Amdt. 2 to Supplementary Regulation 59]

GCPR, SR 59—CEILING PRICES FOR MURIATE OF POTASH

REVISED CEILING PRICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Supplementary Regulation 59 to the General Ceiling Price Regulation is issued.

STATEMENT OF CONSIDERATIONS

This amendment to Supplementary Regulation 59 permits two producers with a 42-cent ceiling price for muriate of potash per unit of K_2O f. o. b. Carlsbad, New Mexico and Wendover, Utah, to raise their ceiling price by 1 cent per unit. This action will permit producers of 22 percent of domestic production of muriate of potash to sell at the same price at which the rest of the industry is now selling the product.

It has been customary in the industry ever since 1934 to sell muriate of potash at uniform prices. Roughly 90 percent of the production of the industry is centered in the Carlsbad, New Mexico, area and all producers in that area customarily charged identical f. o. b. Carlsbad prices. The balance of the production was obtained partly in Utah and partly in California. The Utah production was sold f. o. b. Wendover, Utah, at the Carlsbad price level while the California production was sold at a higher price, freight equalized with Carlsbad. When SR 59 was issued in September 1951, it established a ceiling price for muriate of potash at a 42-cent base, thereby permitting producers of 3 percent of the domestic production to raise their ceilings to the GCPR "freeze" level of the rest of the industry. These small producers had been unable to raise their prices prior to the end of the GCPR base period because of contract commitments, and SR 59 restored the traditional price uniformity in the industry.

Subsequent to this action restoring the traditional price uniformity in the industry, producers of 78 percent of the production of muriate of potash were able to qualify, under existing regulations, for varying amounts of upward adjustments of their ceiling prices. As a result, the selling price for this large segment of production rose to a 43-cent level, although some of the producers in that segment obtained ceiling prices higher than 43 cents. Meanwhile, new producers of muriate of potash coming into production had received ceiling prices in line with the higher ceilings established subsequent to the issuance of SR 59.

Two established producers, however, because of conditions peculiar to their operations, have been unable to increase their ceiling prices under existing regulations above the 42-cent level, and by this action, their ceiling prices are being increased less than 2½ percent in order to secure conformity with the industry's customary pricing practices. The 43-cent price level permitted by this Amendment compares with a pre-Korean level of 40 cents, and a GCPR level of 42 cents. Since the one producer at Trona, California, has already established a ceiling price in excess of that permitted by SR 59, it is no longer necessary for SR 59 to be applicable to that point. Accordingly, reference to Trona, California is deleted.

Muriate of potash is an important fertilizer product. About 90 percent of the potash produced in the United States is consumed in the manufacture of fertilizers for agricultural use. Potash is in short supply and the entire production of the industry is being moved as quickly as it is made available. The United States Department of Agriculture anticipates shortages of this product even with new additional production which has been introduced recently. This Amendment will tend to encourage the increased production of the product.

In the formulation of this Amendment, there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Section 2 (b) of Supplementary Regulation 59 to the General Ceiling Price Regulation is amended by changing the ceiling prices for the shipping points of Carlsbad, New Mexico and Wendover, Utah from $0.42 to $0.43 per unit of K_2O (f. o. b. plant) and by deleting the line establishing a ceiling price f. o. b. Trona, California.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective December 8, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

DECEMBER 8, 1952.

[F. R. Doc. 52–13057; Filed, Dec. 8, 1952; 11:09 a. m.]

[General Overriding Regulation 14, Amdt. 29]

GOR 14—Excepted and Suspended Services

CUPPAGE RIGHTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 29 exempts from ceiling price regulations the rates, fees and charges made by timber owners for the right to face, tap or cup standing trees for sap and gum, known in the trade as "cuppage rights".

Numerous commodities involved in the production of naval stores have already been removed from price control. These include the sale of crude pine gum, stumpage, and stumps. The situation thus presented is one in which the sale of the right to face, tap or cup standing trees remains under price control, although sales of stumps, the raw product, and the tree itself are no longer subject to ceiling price regulation. Those items representing the end products of naval stores operations, such as turpentine, rosin, tar, and pine oil which remain under price control are, at present market prices, well below ceiling so that exemption of auxiliary services in connection therewith will have little, if any, effect upon living costs, business costs, or the national defense effort.

Approximately 5 percent of the trees faced each year for naval stores products are owned by the United States. Many of the Southern States also lease public lands for cuppage operations. This exemption will permit various government agencies to accept bids for naval stores offerings on the basis of current costs and market prices. In the formulation of this amendment, there has been extensive consultation with representatives of the Forest Service of the United States Department of Agriculture, the Department of the Interior, and other agencies, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respects:

The following new subparagraph is added at the end of paragraph (a) of section 3:

(116) Cuppage rights.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 29 to General Overriding Regulation 14 shall become effective December 8, 1952.

JOSEPH H. FREEHILL,
Acting Director
of Price Stabilization.

DECEMBER 8, 1952.

[F. R. Doc. 52-13056; Filed, Dec. 8, 1952; 11:09 a. m.]

Chapter X—Defense Solid Fuels Administration, Department of the Interior

[Solid Fuels Order 4 as amended, Revocation]

SFO-4—Distribution of Bituminous Coal

REVOCATION

Order SFO-4 issued October 19, 1952 (17 F. R. 9558), and amended October 25, 1952, which controlled the shipment of bituminous coal from certain coal mines, is hereby revoked.

(Sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective December 9, 1952.

DEFENSE SOLID FUELS
ADMINISTRATION,
CHAS. W. CONNOR,
Defense Solid Fuels Administrator.

[F. R. Doc. 52-13055; Filed, Dec. 8, 1952; 10:23 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Correction to Schedule A]

[Rent Regulation 2, Correction to Schedule A]

RR 1—Housing

RR 2—Rooms in Rooming Houses and Other Establishments

Schedule A—Defense-Rental Areas

PENNSYLVANIA

Effective November 5, 1952, that part of Amendment 86 to Schedule A of Rent Regulation 1 and Amendment 84 to Schedule A of Rent Regulation 2 which pertains to Item 261 (Erie Defense-Rental Area) is corrected to read as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 4th day of December 1952.

JAMES McI. HENDERSON,
Director of Rent Stabilization.

State and name of defense-rental area	Class	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
Pennsylvania				
(261) Erie	B	In Erie County, the city of Erie and the townships of Harborcreek, Lawrence Park, Millcreek, and Northeast.	Mar. 1, 1942	July 1, 1942

[F. R. Doc. 52-12972; Filed, Dec. 8, 1952; 8:48 a. m.]

[Rent Regulation 1, Amdt. 96 to Schedule A]

[Rent Regulation 2, Amdt. 94 to Schedule A]

RR 1—Housing

RR 2—Rooms in Rooming Houses and Other Establishments

Schedule A—Defense-Rental Areas

PENNSYLVANIA

These amendments are issued as a result of joint certification(s) pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective December 8, 1952, Rent Regulation 1 and Rent Regulation 2 are amended so that the item of Schedule A reads as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 4th day of December 1952.

JAMES McI. HENDERSON,
Director of Rent Stabilization.

State and name of defense-rental area	Class	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
Pennsylvania				
(262) Harrisburg	B	Cumberland County, except the townships of Hopewell, Lower Mifflin, North Newton, Shippensburg, Southampton, South Newton and Upper Mifflin, and the boroughs of Lemoyne, Newburg, Newville and Shippensburg; Dauphin County; and in Perry County, the townships of Penn, Rye, and Wheatfield, and the boroughs of Duncannon and Marysville.	Mar. 1, 1942	Nov. 1, 1942
	C	do	Aug. 1, 1952	Dec. 8, 1952
	B	In Franklin County, the township of Hamilton and the borough of Waynesboro.	Mar. 1, 1942	Dec. 1, 1942

[F. R. Doc. 52-12973; Filed, Dec. 8, 1952; 8:48 a. m.]

[Rent Regulation 1, Amdt. 97 to Schedule A]

[Rent Regulation 2, Amdt. 95 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

PENNSYLVANIA

Effective December 9, 1952, Rent Regulation 1 and Rent Regulation 2 are amended so that the item indicated below of Schedule A reads as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 4th day of December 1952.

JAMES McI. HENDERSON,
Director of Rent Stabilization.

State and name of defense-rental area	Class	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
Pennsylvania				
(261) Erie	B	In Erie County, the city of Erie and the townships of Lawrence Park, Millcreek, and Northeast.	Mar. 1, 1942	July 1, 1942

These amendments decontrol the following based on a resolution submitted under section 204 (j) (3) of the act:

The Township of Harborcreek in Erie County, Pennsylvania, a portion of the Erie Defense-Rental Area.

[F. R. Doc. 52–12974; Filed, Dec. 8, 1952; 8:48 a. m.]

[Rent Regulation 3, Amdt. 99 to Schedule A]

[Rent Regulation 4, Amdt. 42 to Schedule A]

RR 3—HOTELS

RR 4—MOTOR COURTS

SCHEDULE A—DEFENSE-RENTAL AREAS

PENNSYLVANIA

These amendments are issued as a result of joint certification(s) pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective December 8, 1952, Rent Regulation 3 and Rent Regulation 4 are amended so that the item of Schedule A reads as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 4th day of December 1952.

JAMES McI. HENDERSON,
Director of Rent Stabilization.

Name of defense-rental area	State	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
(262) Harrisburg	Pennsylvania.	Cumberland County, except the townships of Hopewell, Lower Mifflin, North Newton, Shippensburg, Southampton, South Newton and Upper Mifflin, and the boroughs of Lemoyne, Newburg, Newville and Shippensburg; Dauphin County; and in Perry County, the townships of Penn, Rye, and Wheatfield, and the boroughs of Duncannon and Marysville.	Aug. 1, 1952	Dec. 8, 1952

[F. R. Doc. 52–12975; Filed, Dec. 8, 1952; 8:48 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 10326]

PART 1—PRACTICE AND PROCEDURE

NETWORKS AND LICENSEES OF BROADCAST STATIONS; ANNUAL FINANCIAL REPORT FORM

In the matter of amendment of F. C. C. Form 324, Annual Financial Report of Networks and Licensees of Broadcast Stations.

On October 1, 1952, the Commission adopted a notice of proposed rule making in the above-entitled matter. The notice was published in the FEDERAL REGISTER (17 F. R. 9078) in accordance with section 4 (a) of the Administrative Procedure Act. The period in which interested persons were afforded an opportunity to submit written comments has expired and no such comments were received.

The revision of F. C. C. Form 324 attached as an appendix to the aforementioned notice of proposed rule making is modified in the following respects:

(a) Pages 1 and 2 containing identification data, most of which are available in other reports and application forms, are deleted. However, the following items previously shown on these pages are transferred to other sections of the report:

(1) The period covered by the report and the information requested at line 9 of page 1 (name of person in charge of correspondence) are transferred to the cover page.

(2) The information requested at line 13 of page 2 (the name of every organization, if any, from which the respondent receives programs) is transferred to the page on which the income statement appears.

(3) The information requested at line 14 of page 2 (the extent to which FM programs duplicate AM programs) is transferred to the cover page.

(b) The requirement, at the foot of the page on which the income statement appears, for showing the portion of total revenues (if less than $25,000) received from each of the nation-wide networks, is deleted. This deletion is consistent with the deletion, made under the proposed rule making, of Schedule 9, "Analysis of Time Devoted to Networks," contained in the 1951 report form.

(c) After giving further consideration to the Commission's present need for the information and the extent to which it is available from other sources, Schedule 7, "Program Log Analysis," is deleted from this form.

(d) A certification is substituted for the verification under oath.

(e) Minor editorial changes and rearrangements are made, including those necessitated by the aforementioned modifications.

(f) With respect to stations operated under Special Temporary Authority, General Instruction 1 is modified to require that permittees of all broadcast stations file Form 324, whereas the proposed rule making referred only to permittees of FM stations. This modification is deemed essential in order to obtain annual financial data on as much of the TV industry as possible, and in lieu of individual requests it is deemed more desirable to obtain the data through the filing of Form 324.

Modifications (a) through (e) above are minor in nature and generally involve a relaxation of the requirements imposed on licensees and permittees; therefore, notice of proposed rule making with respect to them is unnecessary. With respect to modification (f) above, a further notice of proposed rule making would be impracticable in that it would involve delay in the printing of the forms and the receipt of essential information. Moreover, further rule making with respect to this modification is unnecessary in view of the fact that the considerations involved in requiring this form to be filed by permittees of standard and television broadcast stations are identi-

cal with those involved with respect to the licensees of all broadcast stations and the permittees of FM broadcast stations.

It is ordered, therefore, That pursuant to authority under section 4 (i) and 303(r) of the Communications Act of 1934, as amended, F. C. C. Form 324, Annual Financial Report of Networks and Licensees of Broadcast Stations, as set out in the appendix attached to the aforementioned notice of proposed rule making, and modified as set out herein, be, and is hereby adopted.

It is further ordered, That each network and licensee of broadcast stations and each permittee whose station was operated during the year covered by this report shall prepare and file its annual financial report to the Commission for the year 1952 and for each year thereafter until further order of the Commission, in the form and manner therein prescribed.

(Sec. 4, 48 Stat. 1066 as amended, 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Adopted: November 28, 1952.

Released: November 28, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-12965; Filed, Dec. 8, 1952; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Entomology and Plant Quarantine

[7 CFR Part 319]

FOREIGN QUARANTINE NOTICES

NURSERY STOCK, PLANTS, AND SEEDS

Notice is hereby given under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) that the Secretary of Agriculture, pursuant to section 5 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 159), is considering the amendment of §§ 319.37-13 and 319.37-15 of the regulations supplemental to the quarantine relating to the importation of nursery stock, plants, and seeds (7 CFR Supp. 319.37-13 and 319.37-15) as follows:

1. The first sentence in § 319.37-13 (a) would be amended to read: "All restricted plant material from countries with official systems of inspection, except that imported pursuant to § 319.37-2, shall be accompanied by an original certificate attached to the invoice, and each container shall bear a copy-certificate, issued by an authorized official of the country of export, stating (1) the country where the restricted plant material covered by the certificate was grown, (2) that the restricted plant material has been thoroughly inspected by him, or under his direction, both during the growing season and at the time of packing, and was found, and believed to be, free from plant pests, and (3) that all materials used for packing the restricted plant material have been approved under § 319.37-16."

2. After the first sentence in § 319.37-13 (a) a new sentence would be added to read: "Said certificate shall also state, except in the case of restricted plant material imported in accordance with § 319.37-5 or certified in accordance with § 319.37-15, that the restricted plant material covered by the certificate is free from sand, soil, and earth other than packing materials approved under § 319.37-16."

3. Section 319.37-15 would be amended to read:

§ 319.37-15 *Freedom from sand, soil, and earth.* Except for importations under § 319.37-5, all restricted plant material to be imported shall be free from sand, soil, and earth, and any shipment arriving in the United States which is not free from sand, soil, and earth, may be refused entry, except that this requirement shall not bar the use of packing materials approved under § 319.37-16 nor the importation of restricted plant material that is accompanied by a certificate by an authorized official of the country of export, in addition to the certificate required in § 319.37-13, stating that the restricted plant material was (a) freed from sand, soil, and earth, (b) subsequently potted and established in ground peat, exfoliated vermiculite, Osmunda fiber, or other packing material approved under § 319.37-16 that had been stored under shelter and had not been previously used for growing or packing plants, and (c) grown thereafter on raised benches in a manner to prevent recontamination with sand, soil, or earth.

Under the present provisions of the regulations under the nursery stock, plant, and seed quarantine, restricted plant material now is generally allowed importation only when freed from sand, soil, and earth. It may be packed in an approved packing material to preserve vitality. The proposed amendments, if adopted, would allow the importation under specified conditions of restricted plant material that is growing in an approved material. The hazards involved in permitting the importation of such restricted plant material have been fully considered by Departmental entomologists and plant pathologists, particularly with respect to the possible introduction of plant diseases. With the safeguards provided by the proposed amendments, it is considered that adequate protection would be afforded against the introduction of dangerous insects and plant diseases.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Chief of the Bureau of Entomology and Plant Quarantine, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within 30 days after the date of the publication of this notice in the FEDERAL REGISTER.

(Sec. 5, 37 Stat. 316, as amended; 7 U. S. C. 159)

Done at Washington, D. C., this 4th day of December 1952.

[SEAL] K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 52-12955; Filed, Dec. 8, 1952; 8:46 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 10354]

TELEVISION BROADCAST STATIONS; TABLE OF ASSIGNMENTS

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of § 3.606 Table of Assignments, rules governing television broadcast stations.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission has ascertained that the assignments of UHF Channel 42 in Abbeville, Louisiana, and that of UHF Channel 38 in Lafayette, Louisiana, do not meet the required minimum assignment separations as provided by § 3.610 (c) of the Commission's rules governing television broadcast stations. In order to correct this sub-standard assignment spacing, the Commission proposes to make the following change in the Table of Assignments:

City	Channel No.	
	Delete	Add
Abbeville, La	42-	27+

3. Authority for the adoption of the proposed amendment is contained in sections 4 (i), 301, 303 (c), (d), (f), and (r) and 307 (b) of the Communications Act of 1934, as amended.

4. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before December 23, 1952, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

5. In accordance with the provisions of § 1.764 of the Commission's rules and

regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: December 3, 1952.

Released: December 4, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52–12964; Filed, Dec. 8, 1952; 8:47 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Cheyenne 073280]

WYOMING

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

In exchange made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976), 43 U. S. C. sec. 315 g), the following described lands have been reconveyed to the United States:

Sixth Principal Meridian

T. 48 N., R. 102 W., 6th Principal Meridian,
Sec. 3, S½SW¼;
Sec. 10, N½NW¼, SE¼NW¼.

The area described aggregates 200 acres.

The lands are level to rough in topography. The vegetative cover consists of gramma, wheatgrass, blackroot and sagebrush. There is no timber upon the lands. The lands are primarily suitable for grazing purposes.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Cheyenne Land and Survey Office in Cheyenne, Wyoming, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to: Cheyenne Land and Survey Office, 405 Federal Building, Box 578, Cheyenne, Wyoming.

ALBIN D. MOLOHON,
Regional Administrator.

[F. R. Doc. 52–12977; Filed, Dec. 8, 1952; 8:48 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

ROBERTO MOTTA Y COMPANIA LIMITADA ET AL.

NOTICE OF AGREEMENTS FILED FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended.

(1) Agreement No. 7879 between Roberto Motta y Compania Limitada and the Panama Canal Company covers the transportation of cargo on through bills of lading from Pacific Coast ports of Central America to New York, with transhipment at Cristobal, Canal Zone.

(2) Agreement No. 7881 between United States Lines Company and Bull Insular Line, Inc., covers the transportation of cargo under through bills of lading from ports in the United Kingdom, of Great Britain, Northern Ireland, the Irish Free State, and in the Vigo/Hamburg range of Continental Europe, to ports in the Virgin Islands (U. S. A.), with transhipment at New York.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to either of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: December 4, 1952.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 52–12981; Filed, Dec. 8, 1952; 8:49 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 9136, 10243, 10316]

PIONEER BROADCASTERS, INC., ET AL.

ORDER CONTINUING HEARING

In re applications of Pioneer Broadcasters, Inc., Portland, Oregon, Docket No. 9136, File No. BPCT–431; KXL Broadcasters, Portland, Oregon, Docket No. 10243, File No. BPCT–954; Mount Hood Radio & Television Broadcasting Corporation, Portland, Oregon, Docket No. 10316, File No. BPCT–1029; for construction permits for new television stations (Channel 6).

The Commission having under consideration a petition filed November 25, 1952, by Mount Hood Radio and Television Broadcasting Corporation, requesting a continuance of the hearing in the above-entitled proceeding presently scheduled for December 1, 1952, to December 8, 1952, or to a reasonable date following the Commission's action upon Mount Hood's pending Petition for Review of the Hearing Examiner's action

on petition for leave to amend its application; and

It appearing, that such Petition for Review was filed with the Commission on November 24, 1952, and, under the Commission's rules and regulations, other parties have the right to file replies thereto; that, therefore, the Commission's ruling cannot reasonably be expected prior to the presently scheduled date for the resumption of the hearing; and

It further appearing, that other counsel in the proceeding, including counsel for the Broadcast Bureau, have informally consented to a waiver of § 1.745 of the Commission's rules and regulations to permit the immediate consideration and grant of the instant petition for continuance;

It is ordered, this 26th day of November 1952, that the petition for continuance be and it is hereby granted; and the hearing on the above-entitled applications now scheduled for December 1, 1952, be and it is hereby continued to December 10, 1952, at 10 o'clock a. m., in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-12968; Filed, Dec. 8, 1952; 8:47 a. m.]

[Docket No. 10151]

WESTERN UNION TELEGRAPH CO.

ORDER CONTINUING HEARING

In the matter of the Western Union Telegraph Company, Docket No. 10151; Divestment of its international telegraph operations in accordance with Section 222 (c) (2) of the Communications Act of 1934, as amended.

It appearing that the above-entitled proceeding is presently scheduled to reconvene to Wednesday, December 10, 1952; and

It further appearing that the Examiner presently conducting this proceeding is now engaged in hearing the applications for permit to construct a commercial television station to operate on Channel 8 in the Tampa-St. Petersburg area, Docket Nos. 10250, 10251, and 10252; that these hearings have been in process since October 15; that they will not be concluded before the middle of December; and that the orderly dispatch of Commission business requires that these hearings be completed at the earliest possible date; and

It further appearing that the parties to this proceeding have been advised of the above facts and are agreeable to a postponement of the further hearing date until January 28, 1953;

It is ordered, This the 25th day of November 1952, that the further hearing in the above-entitled proceeding is continued from December 10, 1952, to Wednesday, January 28, 1953, beginning at 10:00 a. m., in the offices of the Commission at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-12966; Filed, Dec. 8, 1952; 8:47 a. m.]

[Docket Nos. 10272, 10273]

BRUSH-MOORE NEWSPAPERS, INC., AND STARK BROADCASTING CORP.

ORDER CONTINUING HEARING

In re applications of the Brush-Moore Newspapers, Inc., Canton, Ohio, Docket No. 10272, File No. BPCT-264; Stark Broadcasting Corporation, Canton, Ohio, Docket No. 10273, File No. BPCT-949; for construction permits for new television stations.

The Commission having under consideration a joint petition filed November 20, 1952, by the Brush-Moore Newspapers, Inc., and the Stark Broadcasting Company, both of Canton, Ohio, requesting a continuance of the hearing on the above-entitled applications now scheduled for December 8, 1952, in Washington, D. C., either until January 12, 1953, or until 15 days after the Commission rules upon the joint petition of these parties requesting assignment of an additional UHF channel to Canton, Ohio; and

It appearing, that if the joint petition of these applicants for an additional UHF channel in Canton, Ohio, were granted by the Commission a hearing may be obviated; and

It appearing further, that the time within which objections might have been filed to this joint petition has expired and none has been filed and that a grant of said petition would conduce to the dispatch of the Commission's business and the ends of justice;

It is ordered, This 28th day of November, 1952, that the petition is granted; and the hearing on the above-entitled application now scheduled for December 8, 1952, in Washington, D. C., is hereby continued to January 12, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-12970; Filed, Dec. 8, 1952; 8:47 a. m.]

[Docket Nos. 10278, 10279]

KENDRICK BROADCASTING CO., INC., AND ROSSMOYNE CORP.

ORDER CONTINUING HEARING

In re applications of Kendrick Broadcasting Company, Inc., Harrisburg, Pennsylvania, Docket No. 10278, File No. BPCT-937; Rossmoyne Corporation, Harrisburg, Pennsylvania, Docket No. 10279, File No. BPCT-966; for construction permits for television stations.

The Commission having before it a motion filed on November 25, 1952, on behalf of Kendrick Broadcasting Company, Inc. for a continuance of the hearing now scheduled to commence on December 1, 1952, to January 5, 1953; and

It appearing, that counsel for Kendrick Broadcasting Company, Inc. is now and will be engaged in a proceeding before the Commission (Dockets 10250 et al.) and will be unavailable to commence this hearing on December 1, 1952; and

It further appearing, that no other attorney in the firm in which counsel is affiliated is familiar enough with the case to represent adequately the interest of Kendrick Broadcasting Company, Inc.; and

It further appearing, that counsel for Rossmoyne Corporation, counsel for licensee of Station WHP, Harrisburg, Pennsylvania, and counsel for the Chief of the Commission's Broadcast Bureau have consented to a waiver of § 1.745 of the Commission's rules relating to practice and procedure;

It is ordered, This 28th day of November 1952, that the motion for continuance of hearing is granted and that the hearing herein is continued until the 5th day of January 1953, at 10:00 a. m.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. D. Doc. 52-12969; Filed, Dec. 8, 1952, 8:47 a. m.]

[Docket Nos. 10289, 10290]

HEAD OF THE LAKES BROADCASTING CO. AND RED RIVER BROADCASTING CO., INC.

ORDER CONTINUING HEARING

In the matter of Head of the Lakes Broadcasting Co., Superior, Wisconsin, Docket No. 10289, File No. BPCT-621; Red River Broadcasting Co., Inc., Duluth, Minnesota, Docket No. 10290, File No. BPCT-903.

The Commission having under consideration the scheduled date for the resumption of hearing in companion Docket Nos. 10291 and 10292, namely, December 9, 1952, and the scheduled date for the initial taking of testimony in the above-captioned matter, namely, December 17, 1952;

It appearing, that an informal meeting of counsel was held in the Examiner's office, pursuant to his call, during which agreement was reached upon the hereinafter ordered continuance; that the December 17, 1952, date had been designated with the expectation that hearing would resume in Docket Nos. 10291 and 10292 on December 3, 1952; that the resumption of hearing in those dockets, however, was deferred until December 9, 1952; that the participants in that proceeding should be afforded an opportunity to complete the presentation of testimony in their case without unnecessary interruption; that the hear-

ing in the above-captioned matter should therefore be continued; and that the length of such continuance is conditioned upon the intervention of the holiday season, the presidential inauguration and the attendant scarcity of hotel accommodations for witnesses, and counsel's participation in other matters;

It is ordered, This 1st day of December 1952, that the hearing in Docket Nos. 10289 and 10290, now scheduled for December 17, 1952, is continued to February 17, 1953, beginning at 10:00 a. m., in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-12971; Filed, Dec. 8, 1952; 8:47 a. m.]

[Docket No. 10346]

JAMES GERITY, JR.

ORDER CONTINUING HEARING

In re application of James Gerity, Jr., Pontiac, Michigan, Docket No. 10346, File No. BP-8651; for construction permit.

The Commission having under consideration the petition filed on November 20, 1952, by Adelaide Lillian Carrell, licensee of Radio Station WCLC, Flint, Michigan, for continuance of the hearing herein for a period of thirty days; and the opposition filed thereto on November 24, 1952, by the Chief of the Commission's Broadcast Bureau wherein it was requested that the hearing be continued indefinitely; and

It appearing, that Adelaide Lillian Carrell, who was made a party respondent by the Commission's order released November 14, 1952, has not had sufficient time to prepare for the hearing now scheduled for November 28, 1952; and

It further appearing, that the application of James Gerity, Jr., above mentioned, was filed approximately twenty days before the date originally scheduled for the hearing on the Pontiac, Michigan, applications with which this application was consolidated by the Commission's order released November 14, 1952; and

It further appearing, that all competing applicants in this hearing have dismissed their applications or amended their applications to other frequencies and have had their applications removed from the Hearing Docket, leaving the application of James Gerity, Jr. alone in the hearing with respondent Adelaide Lillian Carrell; and

It further appearing, that it may be unfair to proceed with this case since many other applications for AM facilities have been waiting hearing many months; and

It further appearing, that counsel for James Gerity, Jr., has consented to a waiver of § 1.745 of the Commission's rules and regulations and consented that the petition and opposition thereto may be considered immediately;

It is ordered, This 26th day of November 1952, that the hearing herein is continued without date, subject to further order scheduling a definite date for hearing, either upon the Commission's or the Examiner's own motion or upon appropriate motion being duly filed by any party to this proceeding or by the Chief of the Commission's Broadcast Bureau.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-12967; Filed, Dec. 8, 1952; 8:47 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6462]

MONTANA-DAKOTA UTILITIES CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF SECURITIES

DECEMBER 4, 1952.

Notice is hereby given that on December 3, 1952, the Federal Power Commission issued its order entered December 2, 1952, authorizing issuance of securities in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-12958; Filed, Dec. 8, 1952; 8:46 a. m.]

[Docket No. E-6465]

PENNSYLVANIA WATER & POWER CO.

NOTICE OF APPLICATION

DECEMBER 2, 1952.

Take notice that on November 26, 1952, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Pennsylvania Water & Power Company, a corporation organized under the laws of the Commonwealth of Pennsylvania and doing business in the States of Pennsylvania and Maryland, with its business office at Baltimore, Maryland, seeking an order authorizing the sale of high-tension terminal and interconnection facilities of the Violet Hill substation, situated in Spring Garden Township, York County, Pennsylvania, together with the land appurtenant thereto, to the Metropolitan Edison Company. The consideration for the sale of this property, the application states, is $110,357.47 to be paid in cash; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 22d day of December 1952, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-12950; Filed, Dec. 8, 1952; 8:45 a. m.]

[Docket No. E-6466]

COMMUNITY PUBLIC SERVICE CO.

NOTICE OF APPLICATION

DECEMBER 2, 1952.

Take notice that on December 1, 1952, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Community Public Service Company, a corporation organized under the laws of the State of Delaware and doing business in the States of New Mexico and Texas, with its principal business office at Fort Worth, Texas, seeking an order authorizing the issuance of a maximum amount of 137,181 shares of capital stock as a stock dividend at the rate of one share for each five shares held on the record date. Stockholders entitled to a fractional share interest will receive, in lieu of fractional shares or scrip, cash based on the closing price of the capital stock on the New York Curb Exchange on the next business day following the record date for such stock dividend. The proposed capital stock is to be issued pro rata to existing stockholders as of the record date; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 22d day of December 1952, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-12956; Filed, Dec. 8, 1952; 8:46 a. m.]

[Docket No. E-6469]

METROPOLITAN EDISON CO.

NOTICE OF APPLICATION

DECEMBER 3, 1952.

Take notice that on December 2, 1952, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Metropolitan Edison Company, a corporation organized under the laws of the State of Pennsylvania and doing business in said State, with its principal business office at Reading, Pennsylvania, seeking an order disclaiming jurisdiction over the transaction hereinafter described, or, in the alternative, an order authorizing the purchase by it of the high-tension terminal and interconnection facilities of the Violet Hill substation owned by Pennsylvania Water & Power Company and situated in Spring Garden Township, York County, Pennsylvania, together with the land appurtenant thereto. This application is a companion to the application by Pennsylvania Water & Power Company, Docket No. E-6465. The consideration for the facilities to be purchased are stated in the application to be $110,357.47, subject to certain adjustments; all as more fully appears in

the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 22d day of December 1952, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52–12957; Filed, Dec. 8, 1952; 8:46 a. m.]

[Docket Nos. G–1781, G–2055]

UNITED FUEL GAS CO.

ORDER POSTPONING HEARING, CONSOLIDATING PROCEEDINGS FOR HEARING, AND FIXING DATE OF HEARING AND SPECIFYING PROCEDURE FOR CONSOLIDATED PROCEEDINGS

DECEMBER 2, 1952.

The Commission, by order in Docket No. G–2055, issued September 12, 1952, suspended the operation of United Fuel Gas Company's (United) proposed FPC Gas Tariff, Third Revised Volume No. 1, and directed that a hearing be held at a date and place to be fixed thereafter concerning the lawfulness of the rates, charges, classifications or services, subject to the jurisdiction of the Commission, as set forth in said tariff.

United's presently effective tariff, Second Revised Volume No. 1, suspended by the Commission in Docket No. G–1781, was made effective under bond as of February 6, 1952, and hearing thereon commenced October 6, 1952. Thereafter, on November 7, 1952, the Presiding Examiner recessed the hearing until December 8, 1952.

The issues presented in Docket No. G–2055 appear to be identical with those in Docket No. G–1781. However, in Docket No. G–2055 there is included in United's cost of service, the cost of purchasing gas from Tennessee Gas Transmission Company (Tennessee) under Tennessee's FPC Gas Tariff, Third Revised Volume No. 1 and First Revised Volume No. 2, which was suspended by order of the Commission in Docket No. G–2052. In the course of hearing, counsel for United indicated that United would move to put the suspended rates in Docket No. G–2055 into effect as of February 15, 1953, if Tennessee so moved.

It thus appears that United's proposed rate increase in Docket No. G–2052 may become effective, subject to refund, prior to the Commission's determination in Docket No. G–1781 of the justness and reasonableness of the proposed increase there involved. In view of the identity of issues presented in United's Second Revised Volume No. 1 and Third Revised Volume No. 1, with the aforementioned exception, and having due regard for the requirement of section 4 (e) that matters involving proposed rate increases be given preference and disposed of as speedily as possible, it appears to the Commission that Docket No. G–2055 should be set for hearing and consolidated for hearing with Docket No. G–1781 and the hearings in the latter docket be postponed to a date when the consolidated proceedings may go forward.

The Commission finds:

(1) Good cause exists for consolidating the proceedings in Docket Nos. G–1781 and G–2055 for the purpose of hearing, and for postponement of the hearings in Docket No. G–1781 as hereinafter ordered.

(2) It is necessary and appropriate to carry out the provisions of the Natural Gas Act, and it is in the public interest, that the procedure hereinafter prescribed shall be followed at the consolidated proceedings in order to conduct them in an orderly and expeditious manner.

The Commission orders:

(A) The proceeding in Docket No. G–2055 be and it hereby is consolidated for hearing with the proceeding in Docket No. G–1781, now set to reconvene at the time and place named in the said paragraph (B), and the evidence heretofore adduced in the hearing in Docket No. G–1781 be and the same hereby is made a part of this consolidated hearing.

(B) The hearings in Docket No. G–1781 be and the same are hereby postponed to December 17, 1952, on which date a public hearing be held at 10:00 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., in the consolidated proceedings, concerning the lawfulness of the rates, charges, classifications or services, subject to the jurisdiction of the Commission, as set forth in United's proposed FPC Gas Tariffs, Second Revised Volume No. 1 and Third Revised Volume No. 1.

(C) At the consolidated proceedings the burden of proof to justify the proposed increases and changes in tariff provisions, as provided by section 4 (e) of the Natural Gas Act, shall be upon United.

(D) At the consolidated proceedings United shall go forward first and shall present its justification, in accordance with the provisions of section 4 (e), in support of the rate proposed in Docket No. G–2055. After United has completed this presentation, other parties to the proceeding, including Commission Staff Counsel, shall proceed with such cross-examination as they are able to conduct at that time and, upon completion of such cross-examination, upon request of any of the parties thereto, the hearing may be recessed by the Presiding Examiner subject to further order of the Commission.

(E) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: December 3, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52–12951; Filed, Dec. 8, 1952; 8:45 a. m.]

[Docket No. G–2036]

UNITED FUEL GAS CO.

NOTICE OF FINDINGS AND ORDER

DECEMBER 4, 1952.

Notice is hereby given that on December 3, 1952, the Federal Power Commission issued its order entered December 2, 1952, issuing a certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52–12959; Filed, Dec. 8, 1952; 8:46 a. m.]

[Project No. 1061]

PACIFIC GAS AND ELECTRIC CO.

NOTICE OF ORDER AMENDING LICENSE (MINOR-PART)

DECEMBER 4, 1952.

Notice is hereby given that on August 29, 1952, the Federal Power Commission issued its order entered August 26, 1952, amending license (Minor-Part) in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52–12960; Filed, Dec. 8, 1952; 8:46 a. m.]

[Project Nos. 2073, 2074]

WISCONSIN MICHIGAN POWER CO.

NOTICE OF ORDER EXTENDING TIME FOR COMPLETION OF CONSTRUCTION

DECEMBER 4, 1952.

Notice is hereby given that on December 2, 1952, the Federal Power Commission issued its order entered November 25, 1922, in the above-entitled matters, extending time for completion of construction in Project No. 2073 to April 1, 1953, and Project No. 2074 to May 1, 1953.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52–12961; Filed, Dec. 8, 1952; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70–2970]

SOUTHERN CO. AND GULF POWER CO.

NOTICE OF FILING REGARDING SALE OF SHARES OF COMMON STOCK BY SUBSIDIARY TO PARENT

DECEMBER 3, 1952.

Notice is hereby given that a joint application-declaration has been filed with this Commission by the Southern Company ("Southern"), a registered holding company, and Gulf Power Company ("Gulf Power"), a public utility subsidiary of Southern. Applicants-declarants have designated sections 6, 7, 9 (a), 10, and 12 (f) of the act and Rule U–43 promulgated thereunder as appli-

cable to the proposed transactions which are summarized as follows:

Gulf Power proposes to issue 134,817 shares of its authorized and unissued common stock, without par value, and to sell such shares to Southern, which owns all of the common stock of Gulf Power, for a cash consideration of $3,000,000 (of which $2,000,000 is to be received for 89,878 shares in January 1953, and $1,000,000 is to be received for 44,939 shares in May 1953). The price per share represents the approximate book value of the outstanding shares of common stock of Gulf Power as at August 31, 1952. It is stated that the proceeds from the sale of such shares will be used by Gulf Power to finance improvements, extensions and additions to its utility plant.

The joint application-declaration states that the proposed issuance and sale of the shares of common stock by Gulf Power are subject to the jurisdiction of the Florida Railroad and Public Utilities Commission and that the expenses to be incurred in connection with the proposed transactions are estimated at $5,750, including counsel fees of $500.

It is requested that the Commission's order herein become effective upon issuance.

Notice is further given that any interested person may, not later than December 29, 1952, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said joint application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after December 29, 1952, said joint application-declaration, as filed or as amended, may be granted or permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52–12953; Filed, Dec. 8, 1952; 8:45 a. m.]

[File No. 812–809]

NORTH AMERICAN SECURITIES CO. ET AL.

NOTICE OF APPLICATION

DECEMBER 4, 1952.

In the matter of North American Securities Company, North American Investment Corporation, Commonwealth Investment Company, Commonwealth Stock Fund, Inc.; File No. 812–809.

Notice is hereby given that North American Securities Company (Applicant), 2500 Russ Building, San Francisco 4, California, has filed an application under Rule N-17D–1 of the general rules and regulations under the Investment Company Act of 1940 for an order approving the continuance of the practice of paying each year at Christmas time one-half of one month's salary to each and all of its employees or, in the event that the Commission shall determine to confine its approval to the current year 1952 an order approving such payment for the said current year 1952. Employees with less than a full year's service receive such part of one-half of one month's salary as is proportionate to the number of months of employment in the year in question.

Applicant is a wholly owned subsidiary and the investment adviser of North American Investment Corporation, a registered, closed-end management investment company, and it is the underwriter and investment adviser of Commonwealth Investment Company and Commonwealth Stock Fund, Inc., both registered, open-end management investment companies. Applicant has approximately 52 employees, all of whom will be eligible to receive the payment mentioned above. Seven of the employees are affiliated persons, as officers or directors, of North American Investment Corporation or Commonwealth Investment Company or Commonwealth Stock Fund, Inc., or of all three companies. Applicant's personnel formerly were employed by its parent, North American Investment Corporation, which now has no paid employees. For the past seven years Applicant's personnel have received a Christmas bonus on the basis stated above.

The total amount of the payments proposed to be made in December 1952, to the employees of Applicant will be approximately $9,500, or approximately 38 percent of Applicant's estimated net income before income taxes and the payment of the bonus. The proposed payments, however, will be far less than 5 percent of the combined estimated net income, plus net gain realized on investments, of Applicant and its parent, North American Investment Corporation.

The proposed payments by Applicant do not fall within the exceptions provided in Rule N-17D–1, therefore, Applicant may not make the proposed payments unless the Commission grants the application by order.

All persons are referred to said application which is on file in the Washington, D. C., office of the Commission for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order granting the application may be issued by the Commission at any time on or after December 19, 1952, unless prior thereto a hearing upon the application is ordered by the Commission as provided by Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than December 18, 1952, at 5:30 p. m., e. s. t., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request in writing that the Commission order a hearing to be held thereon. Any such communication or request should be addressed: Secretary of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the Interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52–12993; Filed, Dec. 8, 1952; 8:48 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 34, as Amended, Supplementary Regulation 3, as Amended, Section 5, Special Order 12]

PACKARD MOTOR CAR CO.

APPROVAL OF REVISIONS ATTACHED TO LETTER TO DEALERS, DATED NOVEMBER 19, 1952

Statement of considerations. This Special Order, pursuant to section 5 of Supplementary Regulation 3 of Ceiling Price Regulation 34, approves certain modifications and supplements to time allowances which appear in the Packard 1951 Flat Rate Manual which covers 1952 models.

The Director of Price Stabilization has determined from the data submitted by the publisher of the Packard 1951 Flat Rate Manual which covers 1952 models that the approval of these modifications and supplements would not be inconsistent with the purposes of the Defense Production Act of 1950, as amended.

Special provisions. 1. On and after the effective date of this order, the modifications and supplements to the Packard 1951 Flat Rate Manual which covers 1952 models as covered in Packard Application No. 52T–37 are authorized for use in establishing the time allowances for the operations described therein.

2. The following notice must be printed or stamped in a prominent position in the publication "Approved by OPS December 4, 1952, by Special Order No. 12 issued under section 5 of SR 3 to CPR 34."

3. All provisions of Ceiling Price Regulation 34, as amended, and Supplementary Regulation 3, as amended, except as changed by this Special Order shall remain in full force and effect.

4. This Special Order or any provision thereof may be revoked, suspended or amended at any time by the Director of Price Stabilization.

Effective date. This order shall become effective December 4, 1952.

JOSEPH H. FREEHILL, *Acting Director of Price Stabilization.*

DECEMBER 3, 1952.

[F. R. Doc. 52–12922; Filed, Dec. 3, 1952; 12:03 p. m.]